

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2006

AGENCY OFFICIALS

OFFICE OF THE STATE APPELLATE DEFENDER

State Appellate Defender

Theodore A. Gottfried

Legal Director

David P. Bergschneider

Chief Fiscal Officer

Tonya Janecek

Agency administrative office is located at:

400 W. Monroe
Suite 202
Springfield, Illinois



**OFFICE OF THE STATE APPELLATE DEFENDER
Administrative Office**

400 West Monroe – Suite 202
P.O. Box 5240
Springfield, IL 62705-5240
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THEODORE A. GOTTFRIED
APPELLATE DEFENDER

KATHRYN SALTMARSH
LEGISLATIVE LIAISON

DAVID P. BERGSCHNEIDER
LEGAL DIRECTOR

JENNIFER WALSH
ASSISTANT DEFENDER

MANAGEMENT ASSERTION LETTER

October 18, 2006

Honorable William G. Holland
Auditor General
Iles Park Plaza
740 E. Ash
Springfield, IL 62703-3154

Dear Mr. Holland:

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the Agency. We are responsible for and we have established and maintained an effective system of, internal controls over compliance requirements. We have performed an evaluation of the Agency's compliance with the following assertions during the two-year period ended June 30, 2006. Based on this evaluation, we assert that during the years ended June 30, 2005 and June 30, 2006, the Agency has materially complied with the assertions below.

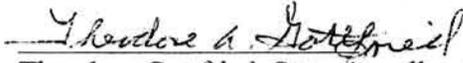
- A. The agency has obligated, expended, received and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The agency has obligated, expended, received and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The agency has complied, in all material respects, with applicable laws an

regulations, including the State uniform accounting system, in its financial and fiscal operations.

- D. The State revenues and receipts collected by the agency are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.
- E. The money or negotiable securities or similar assets handled by the agency on behalf of the State or held in trust by the agency have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate and in accordance with law.

Yours very truly,

Office of the state Appellate Defender


Theodore Gottfried, State Appellate Defender


Tonya Janecek, Fiscal Officer

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2006

COMPLIANCE REPORT

SUMMARY

The compliance testing performed in this examination was conducted in accordance with *Government Auditing Standards* and in accordance with the Illinois State Auditing Act.

AUDITORS' REPORTS

The Independent Accountants' Report on State Compliance, on Internal Control Over Compliance and on Supplementary Information for State Compliance Purposes does not contain certain scope limitations, disclaimers, or other significant non-standard language.

SUMMARY OF FINDINGS

<u>Number of</u>	<u>This Report</u>	<u>Prior Report</u>
Findings	2	0
Repeated findings	0	0
Prior recommendations implemented or not repeated	0	0

Details of findings are presented in a separately tabbed report section.

SCHEDULE OF FINDINGS

<u>Item No.</u>	<u>Page</u>	<u>Description</u>
FINDINGS (STATE COMPLIANCE)		
06-1	9	Employee performance evaluations not conducted in accordance with policies
06-2	11	Lack of formal flex-time policies and procedures

PRIOR FINDINGS NOT REPEATED (STATE COMPLIANCE)

No Prior Year Findings

EXIT CONFERENCE

Agency management waived a formal exit conference in a letter dated January 15, 2007. Responses to the recommendations were provided by Tonya Janecek in correspondence dated January 24, 2007.

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OFFICE OF THE AUDITOR GENERAL
WILLIAM G. HOLLAND

INDEPENDENT ACCOUNTANTS' REPORT ON STATE COMPLIANCE,
ON INTERNAL CONTROL OVER COMPLIANCE, AND ON
SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

Honorable William G. Holland
Auditor General
State of Illinois

Compliance

We have examined the State of Illinois, Office of the State Appellate Defender's (Office) compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2006. The management of the Office is responsible for compliance with these requirements. Our responsibility is to express an opinion on the Office's compliance based on our examination.

- A. The Office has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The Office has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The Office has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. The State revenues and receipts collected by the Office are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the Office on behalf of the State or held in trust by the Office have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act; and, accordingly, included examining, on a test basis, evidence about the Office's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Office's compliance with specified requirements.

In our opinion, the Office complied, in all material respects, with the aforementioned requirements during the two years ended June 30, 2006. However, the results of our procedures disclosed instances of noncompliance with those requirements, which are required to be reported in accordance with criteria established by the Audit Guide issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of State findings as finding 06-1. As required by the Audit Guide, immaterial findings relating to instances of noncompliance are excluded from this report and have been reported in a separate letter.

Internal Control

The management of the Office is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws and regulations. In planning and performing our examination, we considered the Office's internal control over compliance with the aforementioned requirements in order to determine our examination procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General.

Our consideration of internal control over compliance with the aforementioned requirements would not necessarily disclose all matters in internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more internal control components does not reduce to a relatively low level the risk that noncompliance with applicable requirements of laws and regulations that would be material in relation to one or more of the aforementioned requirements being examined may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving internal control over compliance that we consider to be material weaknesses. However, the results of our procedures disclosed other matters involving internal control which are required to be reported in accordance with criteria established by the Audit Guide, issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of State findings as findings 06-1 and 06-2. As required by the Audit Guide, immaterial findings relating to internal control deficiencies excluded from this report have been reported in a separate letter.

Supplementary Information for State Compliance Purposes

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information as listed in the table of contents as Supplementary Information for State Compliance Purposes is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the 2006 and the 2005 Supplementary Information for State Compliance Purposes, except for information on the Service Efforts and Accomplishments on which we did not perform any procedures. However, we do not express an opinion on the supplementary information.

We have not applied procedures to the 2004 Supplementary Information for State Compliance Purposes, and accordingly, we do not express an opinion thereon.

This report is intended solely for the information and use of the Auditor General, the General Assembly, the Legislative Audit Commission, the Governor, and agency management, and is not intended to be and should not be used by anyone other than these specified parties.



Bruce L. Bullard, CPA

Director of Financial and Compliance Audits

October 18, 2006

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2006

06-1. **FINDING** (Employee performance evaluations not conducted in accordance with policies)

The Office of the State Appellate Defender (Office) did not conduct employee performance evaluations in accordance with their Policies and Procedures Manual.

During testing of 25 employee files, which may have required multiple evaluations, we noted the following:

- During the two year period, four employee performance evaluations were not performed and 32 evaluations were not performed timely. The 32 untimely evaluations were performed between 31 and 417 days after their corresponding evaluation period end date.
- One employee did not sign their performance evaluation certifying that the evaluation was discussed with the employee.
- Two evaluations were not signed by the employee's supervisor.
- One employee signed that they received their evaluation, however, indicated that it was not discussed with them.
- Nine of 25 employees' performance evaluations were not in accordance with a twelve month evaluation period or a six month evaluation period as required by policy. The periods evaluated ranged from a 9 month evaluation period to a 39 month evaluation period.

The Office's Policies and Procedures Manual states that all attorneys with five or less years of service with the Office shall be evaluated at least once every six months and all other employees shall be evaluated at least once every twelve months and the performance evaluation shall be prepared by the employee's supervisor. In addition, a copy of the evaluation shall be given to the employee and the evaluation shall be discussed with the employee.

Office personnel stated the employee performance evaluations were not conducted in accordance with their policies and procedures due to other work assignments taking priority and oversight.

Performance evaluations are a systematic and uniform approach used for the development of employees and communication of performance expectations to employees. Performance evaluations should serve as a foundation for salary adjustments, promotion, demotion, and discharge decisions. (Finding Code No. 06-1)

RECOMMENDATION

We recommend that the Office comply with internal policies and prudent business practices by performing employee performance evaluations for all employees in a timely manner and ensuring that each evaluation is discussed with and signed by the employee and his/her supervisor.

AGENCY RESPONSE

The Office has implemented a system that will allow us to provide supervisors with evaluation due dates. Evaluations will be required to be filed within 75 days following the end of the evaluation period.

06-2. **FINDING** (Lack of formal flex-time policies and procedures)

The Office of the State Appellate Defender (Office) has not adopted formal policies and procedures over employee flex-time schedules.

During the period, we noted that the Office allowed employees to participate in a flex-time schedule. However, the Office had not adopted formal policies and procedures establishing a flex-time schedule or for monitoring the employees participating in flex-time schedules. According to Agency personnel, it is at the discretion of the Deputy Defenders and other supervisory personnel to allow employees to work various schedules.

Good business practice would require the Office adopt formal policies and procedures over establishing and monitoring flex-time schedules and to maintain adequate documentation for approval of employee flex-time schedules.

Office personnel stated they believed the Office's procedures over employee flex-time were adequate.

Failure to maintain adequate controls over employee flex-time increases the risk that employees will not be working during hours which best serve the interest of the Office. (Finding Code No. 06-2)

RECOMMENDATION

We recommend the Office adopt formal policies and procedures over establishing and monitoring flex-time schedules and maintain documentation for approval of employees participating in flex-time schedules.

AGENCY RESPONSE

The Office will adopt formal policies and procedures for establishing and monitoring flex-time schedules and maintain documentation for approval of employee participation in flex-time schedules.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2006

SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

SUMMARY

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

- Fiscal Schedules and Analysis:

- Schedule of Expenditures of Federal Awards
- Notes to the Schedule of Expenditures of Federal Awards
- Schedule of Appropriations, Expenditures and Lapsed Balances
- Comparative Schedule of Net Appropriations, Expenditures and Lapsed Balances
- Schedule of Changes in State Property
- Comparative Schedule of Cash Receipts
- Reconciliation Schedule of Cash Receipts to Deposits Remitted to the State Comptroller
- Analysis of Significant Variations in Expenditures
- Analysis of Significant Variations in Receipts
- Analysis of Significant Lapse Period Spending

- Analysis of Operations:

- Agency Functions and Planning Program
- Average Number of Employees
- Service Efforts and Accomplishments (Not Examined)

The auditors' report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the auditors have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General, except for information on Service Efforts and Accomplishments on which they did not perform any procedures. However, the auditors do not express an opinion on the supplementary information.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Year Ended June 30,
(in thousands)

FISCAL YEAR 2006

<u>Federal Grantor/Program Title</u>	<u>Federal CFDA No.</u>	<u>Pass-Through Entity Identifying Number</u>	<u>Federal Expenditures</u>
U.S. Department of Justice			
Pass Through from Illinois Criminal Justice Information Authority			
Byrne Formula Grant Program:			
Public Defender Services	16.579	403103/402103	\$8
Rural Defense Services	16.579	403102/402102	\$153
Systemic Sentencing Appeals	16.579	403106/404106	<u>\$198</u>
Total Expenditures of Federal Awards			<u><u>\$359</u></u>

FISCAL YEAR 2005

<u>Federal Grantor/Program Title</u>	<u>Federal CFDA No.</u>	<u>Pass-Through Entity Identifying Number</u>	<u>Federal Expenditures</u>
U.S. Department of Justice			
Pass Through from Illinois Criminal Justice Information Authority			
Byrne Formula Grant Program:			
Public Defender Services	16.579	401103/402103	\$2
Rural Defense Services	16.579	401102/402102	\$71
Systemic Sentencing Appeals	16.579	401106/403106	<u>\$225</u>
Total Expenditures of Federal Awards			<u><u>\$298</u></u>

Note: The accompanying notes to the Schedule of Expenditures of Federal Awards are an integral part of this schedule.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Two Years Ended June 30, 2006
(In thousands)

1. Significant Accounting Policies

(a) Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards presents all the federal financial assistance programs of the State of Illinois, Office of the State Appellate Defender (Office), for the two years ended June 30, 2006.

(b) Basis of Accounting

The accompanying Schedule of Expenditures of Federal Awards is prepared on the modified accrual basis of accounting.

2. Description of Grant Programs

The following is a brief description of the grant programs included in the Schedule of Expenditures of Federal Awards:

Byrne Formula Grant Program – CFDA #16.579

Grant

Identification

Number:Program Title:

401102/ Rural Defense Services – The agency received 75% federal funds passed through
402102/ the Illinois Criminal Justice Information Authority and 25% matching funds
403102 from the Illinois Criminal Justice Information Authority during FY05. During
FY06 the Office provided 25% matching funds. The purpose of this program is
to provide funding for Illinois public defenders and court-appointed counsel to
hire experts to assist in the defense of their clients.

401103/ Public Defender Services – The agency received 75% federal funds passed
402103/ through from the Illinois Criminal Justice Information Authority and 25%
403103 matching funds from the Illinois Public Defender Association during FY05.
During FY06 the Office provided 25% matching funds. The purpose of the
program is to provide Illinois defenders with the opportunity to attend an
intensive hands-on trial advocacy program; continue the Office’s homepage as a
source of current and relevant information for Illinois public defenders; and
provide Illinois defenders outside of Cook county with one-day training focusing
on advocacy skills.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Two Years Ended June 30, 2006
(In thousands)

401106/ Systemic Sentencing Appeals – The agency received 75% federal funds passed
403106/ through the Illinois Criminal Justice Information Authority and 25% matching
404106 funds from the Illinois Criminal Justice Information Authority during FY05.
 During FY06 the Office provided 25% matching funds. The agency employs
 five attorneys to work on cases that involve sentencing issues.

3. Pass Through and Subrecipient Awards

The Office received funds passed through the Illinois Criminal Justice Information Authority. The Office did not provide any awards to subrecipients.

4. Noncash Awards

The Office does not receive any noncash awards.

5. Cash Returned to Grantor

The Office returned \$104 and \$80 of unused funds to the Illinois Criminal Justice Information Authority during fiscal years 2005 and 2006, respectively.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2006

P.A. 94-0015 FISCAL YEAR 2006	Appropriations (Net of Transfers)	Expenditures Through June 30	Lapse Period		Balances Lapsed August 31
			Expenditures July 1 to August 31	Total Expenditures 14 Months Ended August 31	
	\$ 12,939,200	\$ 12,933,297	\$ 0	\$ 12,933,297	\$ 5,903
APPROPRIATED FUNDS					
<u>General Revenue Fund - 001</u>					
General Operations:					
Personal Services					
State Contribution to State					
Employees' Retirement System	1,010,100	1,008,941	0	1,008,941	1,159
State Contributions to Social Security	946,200	939,016	7	939,023	7,177
Contractual Services	2,833,470	2,516,216	194,570	2,710,786	122,684
Travel	80,600	75,451	3,527	78,978	1,622
Commodities	58,200	34,939	9,599	44,538	13,662
Printing	36,800	32,037	856	32,893	3,907
Equipment	62,350	55,763	5,727	61,490	860
Electronic Data Processing	604,680	549,754	54,328	604,082	598
Telecommunications	155,700	142,182	13,139	155,321	379
Expungement Information Program	160,200	159,047	720	159,767	433
Total General Operations	\$ 18,887,500	\$ 18,446,643	\$ 282,473	\$ 18,729,116	\$ 158,384

Note: Appropriations, expenditures, and lapsed balances were obtained from Agency records and have been reconciled to records of the State Comptroller.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2006

P.A. 94-0015 FISCAL YEAR 2006	Appropriations (Net of Transfers)	Expenditures Through June 30	Lapse Period		Balances Lapsed August 31
			Expenditures July 1 to August 31	Total Expenditures 14 Months Ended August 31	
<u>General Revenue Fund - 001 (Cont.)</u>					
Post Conviction Unit:					
Personal Services	\$ 840,100	\$ 839,804	\$ 0	\$ 839,804	\$ 296
State Contribution to State Employees' Retirement System	65,500	65,484	0	65,484	16
State Contributions to Social Security	64,300	61,305	0	61,305	2,995
Contractual Services	246,261	105,471	2,156	107,627	138,634
Travel	27,789	22,027	5,762	27,789	0
Commodities	2,900	2,462	367	2,829	71
Printing	3,000	1,207	1,717	2,924	76
Equipment	12,500	9,457	2,527	11,984	516
Electronic Data Processing	13,750	13,500	245	13,745	5
Telecommunications	28,900	25,269	1,551	26,820	2,080
Total Post Conviction Unit	<u>\$ 1,305,000</u>	<u>\$ 1,145,986</u>	<u>\$ 14,325</u>	<u>\$ 1,160,311</u>	<u>\$ 144,689</u>
Violent Crimes Appeals Unit - State Matching Portion:					
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases	\$ 175,000	\$ 163,329	\$ 8,320	\$ 171,649	\$ 3,351
Total Fund 001	<u>\$ 20,367,500</u>	<u>\$ 19,755,958</u>	<u>\$ 305,118</u>	<u>\$ 20,061,076</u>	<u>\$ 306,424</u>

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2006

	Appropriations (Net of Transfers)	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
P.A. 94-0015 FISCAL YEAR 2006	\$ 525,000	\$ 345,279	\$ 10,669	\$ 355,948	\$ 169,052
<u>State Appellate Defender Federal Trust Fund - 117</u>					
Violent Crimes Appeals Unit - Federal Portion:					
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases					
	\$ 525,000	\$ 345,279	\$ 10,669	\$ 355,948	\$ 169,052
<u>Capital Litigation Trust Fund - 614</u>					
Expenses Incurred in Providing Assistance to Trial Attorneys Under Item (c) (5) of Section 10 of the State Appellate Defender Act.					
	\$ 2,782,600	\$ 2,742,849	\$ 39,706	\$ 2,782,555	\$ 45
TOTAL ALL APPROPRIATED FUNDS	\$ 23,675,100	\$22,844,086	\$ 355,493	\$ 23,199,579	\$ 475,521

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2006

	Appropriations (Net of Transfers)	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
P.A. 94-0015 FISCAL YEAR 2006		\$ 79,757	\$ 0	\$ 79,757	
<u>NON-APPROPRIATED FUNDS</u>					
<u>State Appellate Defender Federal Trust Fund - 117</u>					
Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority					
		\$ 79,757	\$ 0	\$ 79,757	
<u>State Appellate Defender Special Projects Fund - 361</u>					
Refund of Unused State Matching Funds to the Illinois Criminal Justice Information Authority					
		\$ 255	\$ 0	\$ 255	
TOTAL NON-APPROPRIATED FUNDS		\$ 80,012	\$ 0	\$ 80,012	
GRAND TOTAL ALL FUNDS		\$22,924,098	\$ 355,493	\$ 23,279,591	

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

For The Fiscal Year Ended June 30, 2005

	Appropriations (Net of Transfers)	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
P.A. 93-0842					
FISCAL YEAR 2005					
APPROPRIATED FUNDS					
<u>General Revenue Fund - 001</u>					
General Operations:					
Personal Services	\$ 12,328,517	\$ 12,202,571	\$ 2,168	\$ 12,204,739	\$ 123,778
Employee Retirement					
Contributions Paid by Employer	39,000	38,038	0	38,038	962
State Contribution to State					
Employees' Retirement System	1,985,631	1,966,590	349	1,966,939	18,692
State Contributions to Social Security	943,131	890,337	165	890,502	52,629
Contractual Services	2,033,134	1,919,130	48,564	1,967,694	65,440
Travel	70,600	60,420	2,396	62,816	7,784
Commodities	33,200	26,155	1,025	27,180	6,020
Printing	36,750	23,399	3,286	26,685	10,065
Equipment	165,000	89,499	74,544	164,043	957
Electronic Data Processing	555,443	444,058	94,680	538,738	16,705
Telecommunications	169,700	131,853	18,880	150,733	18,967
Expungement Information Program	157,000	128,161	9,972	138,133	18,867
Total General Operations	\$ 18,517,106	\$ 17,920,211	\$ 256,029	\$ 18,176,240	\$ 340,866

Note: Appropriations, expenditures, and lapsed balances were obtained from Agency records and have been reconciled to records of the State Comptroller.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2005

P.A. 93-0842 FISCAL YEAR 2005	Appropriations (Net of Transfers)	Expenditures Through June 30	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
			Expenditures July 1 to August 31	Expenditures August 31		
<u>General Revenue Fund - 001 (Cont.)</u>						
Post Conviction Unit:						
Personal Services	\$ 822,396	\$ 822,019	\$ 0	\$ 822,019	\$ 377	
Employee Retirement						
Contributions Paid by Employer	2,640	2,579	0	2,579	61	
State Contribution to State						
Employees' Retirement System	132,553	132,497	0	132,497	56	
State Contributions to Social Security	61,485	60,598	0	60,598	887	
Contractual Services	195,920	192,589	1,581	194,170	1,750	
Travel	20,000	15,815	2,034	17,849	2,151	
Commodities	4,000	2,846	50	2,896	1,104	
Printing	1,000	66	0	66	934	
Equipment	8,000	6,448	910	7,358	642	
Electronic Data Processing	12,000	5,082	4,694	9,776	2,224	
Telecommunications	19,400	14,310	1,384	15,694	3,706	
Total Post Conviction Unit	\$ 1,279,394	\$ 1,254,849	\$ 10,653	\$ 1,265,502	\$ 13,892	
Total Fund 001	\$ 19,796,500	\$ 19,175,060	\$ 266,682	\$ 19,441,742	\$ 354,758	

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

For The Fiscal Year Ended June 30, 2005

	Appropriations (Net of Transfers)	Lapse Period		Total Expenditures	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
P.A. 93-0842 FISCAL YEAR 2005					
<u>State Appellate Defender Federal Trust Fund - 117</u>					
Violent Crimes Appeals Unit - Federal Portion:					
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases	\$ 525,000	\$ 284,947	\$ 11,079	\$ 296,026	\$ 228,974
<u>State Appellate Defender Special State Projects Fund - 361</u>					
Violent Crimes Appeals Unit - State Matching Portion:					
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases	\$ 175,000	\$ 158,647	\$ 16,306	\$ 174,953	\$ 47
<u>Capital Litigation Trust Fund - 614</u>					
Expenses Incurred in Providing Assistance to Trial Attorneys Under Item (c) (5) of Section 10 of the State Appellate Defender Act.	\$ 2,728,000	\$ 2,614,133	\$ 54,225	\$ 2,668,358	\$ 59,642
TOTAL ALL APPROPRIATED FUNDS	\$ 23,224,500	\$ 22,232,787	\$ 348,292	\$ 22,581,079	\$ 643,421

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For The Fiscal Year Ended June 30, 2005

P.A. 93-0842 FISCAL YEAR 2005	Appropriations (Net of Transfers)	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
<u>NON-APPROPRIATED FUNDS</u>					
<u>State Appellate Defender Federal Trust Fund - 117</u>					
Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority					
		\$ 104,063	\$ 0	\$ 104,063	
<u>State Appellate Defender Special Projects Fund - 361</u>					
Refund of Unused State Matching Funds to the Illinois Criminal Justice Information Authority					
			\$ 10,292	\$ 10,292	
		\$ 114,355	\$ 0	\$ 114,355	
TOTAL NON-APPROPRIATED FUNDS					
		\$ 22,347,142	\$ 348,292	\$ 22,695,434	
GRAND TOTAL ALL FUNDS					

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For the Fiscal Years Ended June 30,

	Fiscal Year		
	2006	2005	2004
	P.A. 94-0015	P.A. 93-0842	P.A. 93-0064
<u>General Revenue Fund - 001</u>			
Appropriations (Net of Transfers)	<u>\$ 20,367,500</u>	<u>\$ 19,796,500</u>	<u>\$ 19,053,263</u>
<u>Expenditures</u>			
General Operations:			
Personal Services	\$ 12,933,297	\$ 12,204,739	\$ 11,715,244
Employee Retirement			
Contributions Paid by Employer	0	38,038	456,315
State Contribution to State			
Employees' Retirement System	1,008,941	1,966,939	1,109,240
State Contributions to Social Security	939,023	890,502	857,628
Contractual Services	2,710,786	1,967,694	1,822,865
Travel	78,978	62,816	73,057
Commodities	44,538	27,180	59,440
Printing	32,893	26,685	27,233
Equipment	61,490	164,043	99,417
Electronic Data Processing	604,082	538,738	0
Telecommunications	155,321	150,733	240,685
Expungement Information Program	159,767	138,133	117,502
Intern Program	0	0	67,891
Total General Operations	<u>\$ 18,729,116</u>	<u>\$ 18,176,240</u>	<u>\$ 16,646,517</u>
Post Conviction Unit:			
Personal Services	\$ 839,804	\$ 822,019	\$ 796,389
Employee Retirement			
Contributions Paid by Employer	0	2,579	30,774
State Contribution to State			
Employees' Retirement System	65,484	132,497	76,071
State Contributions to Social Security	61,305	60,598	58,824
Contractual Services	107,627	194,170	188,060
Travel	27,789	17,849	19,897
Commodities	2,829	2,896	2,897
Printing	2,924	66	1,742
Equipment	11,984	7,358	17,093
Electronic Data Processing	13,745	9,776	0
Telecommunications	26,820	15,694	19,996
Total Post Conviction Unit	<u>\$ 1,160,311</u>	<u>\$ 1,265,502</u>	<u>\$ 1,211,743</u>

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For the Fiscal Years Ended June 30,

	2006	Fiscal Year 2005	2004
	P.A. 94-0015	P.A. 93-0842	P.A. 93-0064
<hr/>			
<u>General Revenue Fund - 001 (Cont.)</u>			
Violent Crimes Appeals Unit - State Matching Portion:			
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases			
	\$ 171,649	\$ 0	\$ 0
	<hr/>	<hr/>	<hr/>
Total Expenditures Fund 001	\$ 20,061,076	\$ 19,441,742	\$ 17,858,260
	<hr/>	<hr/>	<hr/>
Lapsed Balances	\$ 306,424	\$ 354,758	\$ 1,195,003
	<hr/>	<hr/>	<hr/>
<u>State Appellate Defender Federal Trust Fund - 117</u>			
Appropriations (Net of Transfers)	\$ 525,000	\$ 525,000	\$ 525,000
	<hr/>	<hr/>	<hr/>
<u>Expenditures</u>			
Violent Crimes Appeals Unit - Federal Portion:			
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases			
	\$ 355,948	\$ 296,026	\$ 323,579
	<hr/>	<hr/>	<hr/>
Lapsed Balances	\$ 169,052	\$ 228,974	\$ 201,421
	<hr/>	<hr/>	<hr/>
<u>State Appellate Defender Special State Projects Fund - 361</u>			
Appropriations (Net of Transfers)	\$ 0	\$ 175,000	\$ 175,000
	<hr/>	<hr/>	<hr/>
<u>Expenditures</u>			
Violent Crimes Appeals Unit - State Matching Portion:			
Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases			
	\$ 0	174,953	108,924
	<hr/>	<hr/>	<hr/>
Lapsed Balances	\$ 0	\$ 47	\$ 66,076
	<hr/>	<hr/>	<hr/>

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
For the Fiscal Years Ended June 30,

	2006	Fiscal Year 2005	2004
	P.A. 94-0015	P.A. 93-0842	P.A. 93-0064
<u>Capital Litigation Trust Fund - 614</u>			
Appropriations (Net of Transfers)	<u>\$ 2,782,600</u>	<u>\$ 2,728,000</u>	<u>\$ 2,728,000</u>
<u>Expenditures</u>			
Expenses Incurred in Providing Assistance to Trial Attorneys Under Item (c) (5) of Section 10 of the State Appellate Defender Act.	<u>\$ 2,782,555</u>	<u>\$ 2,668,358</u>	<u>\$ 2,522,781</u>
Lapsed Balances	<u>\$ 45</u>	<u>\$ 59,642</u>	<u>\$ 205,219</u>
TOTAL ALL APPROPRIATED FUNDS			
Appropriations (Net of Transfers)	<u>\$ 23,675,100</u>	<u>\$ 23,224,500</u>	<u>\$ 22,481,263</u>
Total Expenditures	<u>\$ 23,199,579</u>	<u>\$ 22,581,079</u>	<u>\$ 20,813,544</u>
Lapsed Balances	<u>\$ 475,521</u>	<u>\$ 643,421</u>	<u>\$ 1,667,719</u>
NON-APPROPRIATED FUNDS			
<u>State Appellate Defender Federal Trust Fund - 117</u>			
Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority	<u>\$ 79,757</u>	<u>\$ 104,063</u>	<u>\$ 75,560</u>
<u>State Appellate Defender Special Projects Fund - 361</u>			
Refund of Unused State Matching Funds to the Illinois Criminal Justice Information Authority	<u>\$ 255</u>	<u>\$ 10,292</u>	<u>\$ 39</u>
TOTAL NON-APPROPRIATED FUNDS	<u>\$ 80,012</u>	<u>\$ 114,355</u>	<u>\$ 75,599</u>

Note: The Agency did not make any Efficiency Initiative Payments during the period.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SCHEDULE OF CHANGES IN STATE PROPERTY
For the Two Years Ended June 30, 2006

	Equipment
Balance at July 1, 2004	\$ 2,640,470
Additions	189,529
Deletions	(105,749)
Net Transfers	(326,818)
Balance at June 30, 2005	\$ 2,397,432
Balance at July 1, 2005	\$ 2,397,432
Additions	240,366
Deletions	(115,605)
Net Transfers	(73,617)
Balance at June 30, 2006	\$ 2,448,576

Note: The above schedule has been derived from Agency records which have been reconciled to property reports submitted to the Office of the Comptroller.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
COMPARATIVE SCHEDULE OF CASH RECEIPTS
For the Fiscal Years Ended June 30, 2006

<u>General Revenue Fund - 001</u>	<u>2006</u>	<u>2005</u>	<u>2004</u>
Miscellaneous Receipts	\$ 311	\$ 2,313	\$ 274
Prior Year Refunds	<u>1,192</u>	<u>860</u>	<u>4,680</u>
TOTAL	<u>\$ 1,503</u>	<u>\$ 3,173</u>	<u>\$ 4,954</u>
<u>State Appellate Defender Federal Trust Fund - 117</u>			
US Department of Justice - Illinois Criminal Justice Information Authority	\$ 436,995	\$ 451,854	\$ 339,593
Prior Year Refunds	50	0	0
Prior Year Warrant Voids	<u>349</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 437,394</u>	<u>\$ 451,854</u>	<u>\$ 339,593</u>
<u>State Appellate Defender Special State Projects Fund - 361</u>			
Illinois Criminal Justice Information Authority	<u>\$ 0</u>	<u>\$ 119,535</u>	<u>\$ 159,381</u>
TOTAL	<u>\$ 0</u>	<u>\$ 119,535</u>	<u>\$ 159,381</u>
<u>Capital Litigation Trust Fund - 614</u>			
Miscellaneous Receipts	\$ 8	\$ 0	\$ 8
Prior Year Refunds	<u>580</u>	<u>1,054</u>	<u>4,381</u>
TOTAL	<u>\$ 588</u>	<u>\$ 1,054</u>	<u>\$ 4,389</u>
 TOTAL RECEIPTS - ALL FUNDS	 <u><u>\$ 439,485</u></u>	 <u><u>\$ 575,616</u></u>	 <u><u>\$ 508,317</u></u>

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
RECONCILIATION SCHEDULE OF CASH RECEIPTS TO DEPOSITS
REMITTED TO THE STATE COMPTROLLER
For the Fiscal Years Ended June 30, 2006

General Revenue Fund - 001

	<u>2006</u>	<u>2005</u>
Receipts per Department records	\$ 1,503	\$ 3,173
Add: deposits in transit, beginning of year	0	0
Less: deposits in transit, end of year	<u>0</u>	<u>0</u>
Deposits recorded by Comptroller	<u><u>\$ 1,503</u></u>	<u><u>\$ 3,173</u></u>

State Appellate Defender Federal Trust Fund - 117

Receipts per Department records	\$ 437,394	\$ 451,854
Add: deposits in transit, beginning of year	0	0
Less: deposits in transit, end of year	<u>0</u>	<u>0</u>
Deposits recorded by Comptroller	<u><u>\$ 437,394</u></u>	<u><u>\$ 451,854</u></u>

State Appellate Defender Special State Projects Fund - 361

Receipts per Department records	\$ 0	\$ 119,535
Add: deposits in transit, beginning of year	0	0
Less: deposits in transit, end of year	<u>0</u>	<u>0</u>
Deposits recorded by Comptroller	<u><u>\$ 0</u></u>	<u><u>\$ 119,535</u></u>

Capital Litigation Trust Fund - 614

Receipts per Department records	\$ 588	\$ 1,054
Add: deposits in transit, beginning of year	0	0
Less: deposits in transit, end of year	<u>0</u>	<u>0</u>
Deposits recorded by Comptroller	<u><u>\$ 588</u></u>	<u><u>\$ 1,054</u></u>

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2006

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2006 AND 2005

GENERAL REVENUE FUND (001) – General Operations

Employee Retirement Contribution Paid by Employer

The decrease in FY06 expenditures was due to the agency no longer paying the employee's contribution to the retirement system.

State Contribution to State Employees' Retirement System

The decrease in FY06 expenditures was due to the employer contribution rate decreasing from 16.107% in FY05 to 7.792% in FY06.

Contractual Services

The increase in FY06 expenditures was due to increased expenses relating to the agency panel attorney program. Expenses included postage, conference registration, UPS charges, rent increases, and janitorial services.

Travel

The increase in FY06 expenditures was due to the 2-day statewide training program held in Chicago for assistant defenders and staff attorneys in April 2006.

Commodities

The increase in FY06 expenditures was due to an increase in the number of cases in FY06.

Printing

The increase in FY06 expenditures was due to an increase in the number of cases in FY06 and the price per ream of paper increased in FY06.

Equipment

The decrease in FY06 expenditures was due to the replacement of office furniture in FY05.

State Contribution to State Employees' Retirement System

The decrease in FY06 expenditures was due to the employer contribution rate decreasing from 16.107% in FY05 to 7.792% in FY06.

Contractual Services

The decrease in FY06 expenditures was due to the Post Conviction Unit relocating in October 2005. The new lease agreement gave the Office a seven month rent abatement; subsequently the first rent payment was not due until April of 2006.

Travel

The increase in FY06 expenditures was due to an increase in the number of cases in FY06 and more travel being required by investigators and attorneys for assigned cases.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2006

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2006 AND 2005 (Continued)

GENERAL REVENUE FUND (001) – Post Conviction Unit

Printing

The increase in FY06 expenditures was due to the replenishment of paper, envelopes, printed envelopes, and business cards needed due to the relocation of the office.

Equipment

The increase in FY06 expenditures was due to the agency replacing broken or outdated office equipment.

Electronic Data Processing

The increase in FY06 expenditures was due to the relocation and sharing of office space with the Death Penalty Trial Assistance Division. The Post Conviction Unit paid some of the T1 line charges to reflect usage.

Telecommunications

The increase in FY06 expenditures was due to the relocation of the Post Conviction Unit and the telecommunication charges incurred relating to the move.

GENERAL REVENUE FUND (001) – Violent Crimes Appeals Unit

Expenses related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases

The increase in FY06 expenditures was due to the establishment of a matching funds line item from the General Revenue Fund rather than funds being received from the Illinois Criminal Justice Information Authority.

STATE APPELLATE DEFENDER FEDERAL TRUST FUND (117)-Violent Crimes Appeals Unit

Expenses related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases

The increase in FY06 expenditures was due to an increase of expert services provided via the Rural Defense Services grant provided by the Illinois Criminal Justice Information Authority.

Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority

The increase in FY06 expenditures was due to the amount of grant funds refunded to the Illinois Criminal Justice Information Authority at the end of each grant period.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2006

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2006 AND 2005 (Continued)

STATE APPELLATE DEFENDER SPECIAL PROJECTS FUND (361)-Violent Crimes Appeals Unit

Expenses related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases

The decrease in FY06 expenditures was due to the matching funds no longer being provided from the Illinois Criminal Justice Information Authority. The Office received an appropriation in FY06 from the General Revenue Fund to provide matching funds.

Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority

The increase in FY05 expenditures was due to the amount of grant funds refunded to the Illinois Criminal Justice Information Authority at the end of each grant period.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2006

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2005 AND 2004

GENERAL REVENUE FUND (001) – General Operations

Employee Retirement Contribution Paid by Employer

The decrease in FY05 expenditures was due to the agency no longer paying the employee's contribution to the retirement system, effective August 1, 2005.

State Contribution to State Employees' Retirement System

The increase in FY05 expenditures was due to the employer contribution rate increasing from 13.439% in FY04 to 16.107% in FY05.

Commodities

The decrease in FY05 expenditures was due to EDP supplies being paid from the commodities line item in FY04. Whereas the FY05 EDP supplies were being paid from the newly established EDP line item in FY05.

Equipment

The increase in FY05 expenditures was due to the agency replacing obsolete or broken furniture and equipment in district offices in FY05.

Electronic Data Processing (EDP)

The increase in FY05 expenditures was due to the agency's establishment of an EDP line item. In previous years EDP expenditures were paid from existing line items including contractual services, commodities, etc...

Telecommunications

The decrease in FY05 expenditures was due to T1 line expenditures being paid from the newly established EDP line item in FY05. Whereas the FY04 T1 expenditures were paid from the telecommunications line item.

Intern Program

The decrease in FY05 expenditures was due to the agency not receiving an appropriation or funding for the Intern Program in FY05.

Employee Retirement Contribution Paid by Employer

The decrease in FY05 expenditures was due to the agency no longer paying the employee's contribution to the retirement system, effective August 1, 2005.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2006

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2005 AND 2004 (Continued)

GENERAL REVENUE FUND (001) – Post Conviction Unit

State Contribution to State Employees' Retirement System

The increase in FY05 expenditures was due to the employer contribution rate increasing from 13.439% in FY04 to 16.107% in FY05.

Printing

The decrease in FY05 expenditures was due to a reduction in the amount of paper purchased in FY05 compared to FY04.

EDP

The increase in FY05 expenditures was due to the agency's establishment of an EDP line item. In previous years EDP expenditures were paid from existing line items including contractual services, commodities, etc...

Telecommunications

The decrease in the FY05 expenditures was due to the Deputy Defenders implementing new guidelines on acceptance of collect calls from clients.

STATE APPELLATE DEFENDER FEDERAL TRUST FUND (117)-Violent Crimes Appeals Unit

Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority

The increase in FY05 expenditures was due to the amount of grant funds refunded to the Illinois Criminal Justice Information Authority at the end of each grant period.

STATE APPELLATE DEFENDER SPECIAL STATE PROJECTS FUND (361)-Violent Crimes Appeals Unit

Expenses Related to Federally Assisted Programs to Work on Drug and Violent Crimes Appeals Cases

The increase in FY05 expenditures was due to the timing of payroll processed with matching funds, when training programs were held, and when experts submitted invoices for payment.

Refund of Unused Federal Funds to the Illinois Criminal Justice Information Authority

The increase in FY05 expenditures was due to the amount of grant funds refunded to the Illinois Criminal Justice Information Authority at the end of each grant period.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS
For the Two Fiscal Years Ended June 30, 2006

**ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN
FISCAL YEARS 2006 AND 2005**

State Appellate Defender Special State Projects Fund – 361

Illinois Criminal Justice Information Authority (ICJIA)

The decrease is due to the fact that the agency did not receive matching funds from ICJIA in FY06.

**ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN
FISCAL YEARS 2005 AND 2004**

State Appellate Defender Federal Trust Fund – 117

US Department of Justice – Illinois Criminal Justice Information Authority

The increase is due to the agency requesting the final funds for a grant during FY04 and not receiving the funds until FY05. In addition the agency also received the majority of funds for another grant in FY05.

State Appellate Defender Special State Projects Fund – 361

Illinois Criminal Justice Information Authority

The decrease is due to ICJIA providing less matching funds for 2 grants in transition to the State Appellate Defender fully funding the state-matching portion during FY06.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING
For the Two Fiscal Years Ended June 30, 2006

FISCAL YEAR 2006

GENERAL REVENUE FUND (001) – General Operations

Commodities

Various office supplies were ordered in June of 2006 and the invoices were not received and paid until the lapse period.

GENERAL REVENUE FUND (001) – Post Conviction Unit

Travel

Travel took place on or before June 30, 2006, however vouchers were not submitted to the Administrative Office until the lapse period.

Printing

Paper was ordered in June of 2006 and the invoices were not received and paid until the lapse period.

Equipment

Furniture was ordered in June of 2006 and the invoices were not received and paid until the lapse period.

FISCAL YEAR 2005

GENERAL REVENUE FUND (001) – General Operations

Equipment

Furniture was ordered in June of 2005 and the invoices were not received and paid until the lapse period.

GENERAL REVENUE FUND (001) – Post Conviction Unit

Electronic Data Processing

Software updates such as MS Windows, WordPerfect 10, and Lotus Notes were ordered in June of 2005 and the invoices were not received and paid until the lapse period.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF OPERATIONS
For the Two Years Ended June 30, 2006

AGENCY FUNCTIONS AND PLANNING PROGRAM

FUNCTIONS

The Office of the State Appellate Defender was created on August 18, 1972 through the State Appellate Defender Act (725 ILCS 105/10). The primary function of the Office is to represent indigent persons on appeal in criminal cases when appointed by the Illinois Supreme Court, the Appellate Court, or the Circuit Court.

Mr. Theodore A. Gottfried is the State Appellate Defender and was appointed in December 1972 and has been reappointed by the Illinois Supreme Court every four years thereafter.

The Office is comprised of the following district offices and special units:

Administrative Office
State Appellate Defender
Theodore Gottfried

400 W. Monroe
Suite 202
Springfield, Illinois

First District Office
Deputy Defender
Michael Pelletier

203 N. LaSalle, 24th Floor
Chicago, Illinois

Second District Office
Deputy Defender
Thomas Lilien

2010 Larkin Avenue
Elgin, Illinois

Third District Office
Deputy Defender
Robert Agostinelli

1100 Columbus Street
Ottawa, Illinois

Fourth District Office
Deputy Defender
Daniel Yuhas

400 W. Monroe
Suite 303
Springfield, Illinois

Fifth District Office
Deputy Defender
Daniel Kirwan

117 North Tenth Street
Suite #300
Mount Vernon, Illinois

Supreme Court Unit
Deputy Defender
Charles Schiedel

400 W. Monroe
Suite 303
Springfield, Illinois

Post Conviction Unit
Deputy Defender
Anna Ahronheim

20 N. Clark, 28th Floor
Chicago, Illinois

Death Penalty Trial Assistance
Deputy Defender
Stephen Richards

400 W. Monroe
Suite 303
Springfield, Illinois

20 N. Clark, 28th Floor
Chicago, Illinois

20 N. Clark, 28th Floor
Chicago, Illinois

300 West Main Street
Belleville, Illinois

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF OPERATIONS
For the Two Years Ended June 30, 2006

The main responsibility of the Supreme Court Unit is to handle death penalty cases, which are appealed directly from the Circuit Court to the Illinois Supreme Court. The Post Conviction Unit (formally known as The Capital Litigation Division) is responsible for providing trial and appellate representation in capital post-conviction proceedings. The Death Penalty Trial Assistance Division mission is to ensure that indigent defendants facing the death penalty receive the assistance of zealous dedicated attorneys, armed with resources adequate to properly investigate and defend their cases at trial and at sentencing. Each District Office, the Supreme Court Unit, the Post Conviction Unit, and the Death Penalty Trial Assistance Division have a Deputy Defender who is responsible for the administration and supervision of that office.

PLANNING PROGRAM

The Office's formal planning program is limited because its activities throughout the year are contingent upon the number of appeals cases to which they are appointed. The Office's mission is to provide each client appointed by the Courts with high quality legal services and maintain a staff that is dedicated to its clients' interests and improvement of the criminal justice system.

The Office conducts much of its planning in conjunction with the budget process. Deputy Defenders from each division participate in planning and executing their office's budget. The Chief Fiscal Officer prepares and monitors the agency-wide budget using this information. The State Appellate Defender advises on and approves the budget. The State Appellate Defender holds bi-monthly meetings with the Deputy Defenders to assess the budget, monitor caseload progress, and to ensure that each division is operating effectively. The Office has documented policies and procedures to ensure attorneys are achieving minimum standards of quality and productivity.

The Office monitors the caseloads handled by the courts and maintains statistical records of all cases handled by each district office, both as a historical record and as a guideline for future expected activity.

BOARD OF COMMISSIONERS

The Office has a Board of Commissioners who meet semi-annually. The Board approves the Office's operational budget and the number of employees. The Board also advises and recommends policies for the operation of the Office. The members of the Board as of June 30, 2006 were:

- Thomas M. Breen, Chairman
- Michael B. Metnick
- Jack P. Rimland
- Edwin A. Burnette
- David Reid Clark
- Honorable Thomas R. Rakowski
- Honorable M. Carol Pope
- Honorable E. Kyle Vantrease

AUDITORS' ASSESSMENT

The Office's planning program appears adequate for meeting its statutorily defined functions

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
ANALYSIS OF OPERATIONS
For the Two Years Ended June 30, 2006

AVERAGE NUMBER OF EMPLOYEES

The average number of personnel employed by the districts/divisions within the Office of the State Appellate Defender was as follows:

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Administrative Office	13	11	15
First District Office	125	119	120
Second District Office	20	19	20
Third District Office	19	19	18
Fourth District Office	25	24	23
Fifth District Office	15	15	14
Supreme Court Unit	9	9	9
Capital Litigation Division/ Post Conviction Unit	13	14	14
Death Penalty Trial Assistance	27	28	28
Expungement Program	3	2	2
IT Department*	5	5	0
Total	<u>274</u>	<u>265</u>	<u>263</u>

*Note: IT employees were included with Administrative Office during FY04. In addition, the Capital Litigation Division has been renamed the Post Conviction Unit.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SERVICE EFFORTS AND ACCOMPLISHMENTS
For the Years Ended June 30, 2006
(Not Examined)

Caseload Activity

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Cases Pending at Beginning of Year	5,475	4,854	4,666
<u>Plus Cases:</u>			
Appointed	3,078	3,452	3,278
Re-opened	25	50	37
<u>Less Cases:</u>			
Closed	(3,299)	(2,751)	(3,046)
Consolidated	(117)	(98)	(78)
Miscellaneous Adjustment	<u>0</u>	<u>(32)</u>	<u>(3)</u>
Cases Pending at Year-end	<u>5,162</u>	<u>5,475</u>	<u>4,854</u>
Average Cost per Case Closed	<u>\$7,004</u>	<u>\$8,161</u>	<u>\$6,804</u>

Note: Average cost per case closed calculated as total non-capitalized expenditures divided by the number of cases closed during the fiscal year.

STATE OF ILLINOIS
OFFICE OF THE STATE APPELLATE DEFENDER
SERVICE EFFORTS AND ACCOMPLISHMENTS
For the Years Ended June 30, 2006
(Not Examined)

Briefs Filed

The following presents the number and type of briefs filed by the Office of the State Appellate Defender.

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Number of Original Briefs	2,084	1,813	1,599
Number of Anders Briefs	413	374	335
Number of Death Penalty Briefs	4	3	2
Motions to Withdraw/Dismiss Filed	587	576	552
Summary Motions Filed	<u>150</u>	<u>143</u>	<u>167</u>
Total	<u>3,238</u>	<u>2,909</u>	<u>2,655</u>